

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:18-CR-00489-BSM

JERRY DAVID GATES, JR.

DEFENDANT

Reg. No. 32356-009

ORDER

Jerry Gates, Jr.’s *pro se* motion for compassionate release [Doc. No. 37] is denied because there are not extraordinary and compelling circumstances to warrant early release. *See* 18 U.S.C. § 3582(c)(1)(A).

Gates was sentenced as an armed career criminal to 180 months of imprisonment for being a felon in possession of a firearm. Doc. No. 35. Gates is seeking compassionate release based on: (1) intervening changes in sentencing law; (2) family circumstances, specifically caring for his father; (3) rehabilitation; and (4) harsh prison conditions. His request is denied for four reasons.

First, while sympathetic to Gates’s father’s situation, Gates’s cousin indicates that she has been caring for Gates’s father. *See United States v. Medearis*, No. 3:20-CR-30077-RAL, 2024 WL 5252488 (D.S.D. Dec. 31, 2024), *aff’d*, No. 25-1117, 2025 WL 2096843 (8th Cir. Feb. 21, 2025) (defendant must be the *only* available care-giver); *see also United States v. Gonzalez*, No. 17-CR-60223, 2021 WL 4066897, at *5 (S.D. Fla. Sept. 7, 2021) (families of incarcerated individuals must “make necessary and inconvenient life adjustments during that individual’s incarceration”). Second, 18 U.S.C. section 922(g)(1) is properly applied to

defendants even if their prior felony offenses were non-violent. *United States v. Jackson*, 110 F.4th 1120, 1125 (8th Cir. 2024), cert. denied, 145 S. Ct. 2708, 221 L. Ed. 2d 970 (2025). Third, rehabilitation alone is not enough to warrant a sentence reduction. 28 U.S.C. § 994(t). Fourth, the prison conditions that Gates complains of are not grounds for compassionate release. *See United States v. Vest*, 754 F. Supp. 3d 829, 838 (W.D. Mo. 2024) (citing *United States v Topel*, No. 18-cr-0363-BP (W.D. Mo. Feb. 16, 2022)).

Finally, the section 3553(a) factors were considered at sentencing and nothing in the record supports a reduction. *See United States v. Ram*, No. 5:13-CR-50045, 2020 WL 3100837, at *3 (W.D. Ark. June 11, 2020) (no reason to revisit section 3553(a) factors when movant has not met his burden of showing extraordinary and compelling reasons to justify early release).

Gates's request that he be appointed a lawyer for this motion is denied.

IT IS SO ORDERED this 13th day of November, 2025.


UNITED STATES DISTRICT JUDGE